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DATE: August 13, 2004
TO: Commissioner for Patents
ATTENTION: Examiner Tho V. Duong
Art Unit 3743
FACSIMILE NO.: 1 (703) 872-9306
FROM: Timothy E. Nauman, Reg. No. 32,283
RE: U.S. Patent Application Serial No. 09/989,277; filed November 20, 2001
Attorney Docket No. : CLWZ 2 00098-1-2(I)

Total number of pages (including this cover sheet): 5
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By: Mary M. Schriener
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Date: August 13, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Frederic Lagace, et al.
FOR : VENTILATION SYSTEM
SERIAL NO. : 09/989,277
FILED : November 20, 2001
ART UNIT : 3743
EXAMINER : Tho V. Duong
Confirmation No. : 1192
ATTORNEY DOCKET NO. : CLWZ 2 00098-1-2(I)

**AMENDMENT AND RESPONSE TO
ELECTION/RESTRICTION REQUIREMENT**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:


In response to the Office Action mailed July 13, 2004 requiring an election of a single disclosed species for prosecution on the merits, Applicants elect, without traverse, Species 1, shown in Figure 25, claims 25-50. Further, applicants elect, the subspecies of claim 38 with respect to further prosecution on the merits.

Applicants' election is made without traverse and without prejudice to applicants' right to consideration of claims to additional species which are written in dependent form to pursue protection for the claims of Species 1. As noted by the

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August 13, 2004
Date


Mary M. Schriener

U.S. Serial No. 09/989,277
Amendment and Response to Restriction Requirement
Mailed July 13, 2004

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Examiner, upon the allowance of the generic claim, applicant will be entitled to consideration of these claims as provided by 37 C.F.R. § 1.141.

Further, amendment to the specification is made starting on page 3 of this paper.